



# Minnesota Board of Barber Examiners

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November 28, 2011

Governor Mark Dayton  
130 State Capitol  
75 Rev Dr. Martin Luther King Jr. Blvd  
St. Paul, Minnesota 55155-1606

Mr. Greg Hubinger, Director  
Legislative Coordinating Commission  
51 State Office Building  
100 Rev Dr. Martin Luther King Jr. Blvd  
St. Paul, Minnesota 55155-1206

Ms. Michele Timmons  
Revisor of Statues  
700 State Office Building  
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St. Paul, Minnesota 55155-1206

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REVISOR OF STATUTES  
Senator Geoff Michel, Chair  
Jobs and Economic Growth Committee  
State Capitol: Room 208  
75 Rev Dr. Martin Luther King Jr. Blvd  
St. Paul, Minnesota 55155-1606

Representative Bob Gunther, Chair  
Jobs and Economic Development Finance  
591 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St Paul, MN 55155-1206

Subject: Annual Report of Obsolete, Unnecessary, or Duplicative Rules per Minnesota Statutes 14.05(5)

## Subd. 5. **Review and repeal of rules.**

By December 1 of each year, an agency must submit to the governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year's report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary, or duplicative, an agency's December 1 report must state that conclusion.

The Board of Barber Examiners has reviewed its rules in Minnesota Chapter 2100 and found the following rules to be obsolete, unnecessary or duplicative:

Rule		Explanation
2100.0100 DEFINITIONS Subpart 4 Hair braiding; Subpart 5 Hair braiding services; Subpart 6 Hair braider Subpart 7 Simple braiding device	Duplicative	Hair Braiding is currently regulated by Cosmetology per MN Statute 155A.28.  Hair braiding is defined in MN Rule 2105.001
2100.0400 RENEWING INSTRUCTOR'S LICENSE: The board will not renew an instructor's license if the person does not hold a current vocational teacher's certificate.	Obsolete	The Minnesota Department of Education no longer issues a vocational teacher certificate therefore instructors are unable to meet the requirements of this rule.
2100.4500 INSTRUCTOR QUALIFICATIONS: To qualify for an instructor's examination, an applicant must be a licensed registered barber with five years' experience and hold a current vocational teacher's certificate	Obsolete/Duplicative	The Minnesota Department of Education no longer issues a vocational teacher certificate therefore instructors are unable to meet the requirements of this rule.  MN Statute 154.065(3) has at least three years' experience as a registered barber in this state, or its equivalent as determined by the board; and...

The Minnesota Board of Barber Examiners is currently preparing a legislative proposal seeking to submit a bill making changes to MN Statutes Chapter 154 governing the practice of barbering. Should the proposed bill pass during the upcoming legislative session additional updates and changes may be necessary to MN Rules Chapter 2100. The Board will initiate the process for repealing obsolete rules, pursuant to MN Statute Chapter 14 Administrative Procedure, on or before August 1, 2012, to include the items identified above and any additional items identified as a result of any legislation enacted on or before July 1, 2012.

Respectfully,



Thora G. Fisko, Ed.S.  
Executive Secretary